

SENATE BILL 3221

By Herron

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 202; Title 68, Chapter 211 and Title 68, Chapter 212, relative to waste.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 202, Part 2, is amended by adding the following language as a new, appropriately designated section:

Section 68-202-2\_\_.

(a) On or after the effective date of this act, no person shall knowingly accept, process or dispose of radioactive waste material in any landfill located in this state; provided, however, a federal entity may accept, process, or dispose of radioactive waste on-site as permitted under federal law.

(b) For purposes of this section:

(1) "Landfill" means a facility where solid wastes are disposed of by burial in excavated pits or trenches or by placement on land and covering with soil or other approved material;

(2) "On-site" means on a site of generation owned by a federal entity. On-site further means the same or geographically contiguous property which may be divided by a public or private right-of-way.

Noncontiguous property owned by federal entity that is connected by a right-of-way which such federal entity controls and to which the public does not have access is also considered on-site property; and

(3) "Radioactive waste material" means solid waste that emits radiation spontaneously. Radioactive waste material does not include:

(A) Waste with radioactivity below the background level  
when measured with the best available technology; or

(B) Naturally occurring radioactive material.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.